

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 4:20-cv-00957-SDJ

EXHIBIT E

**PLAINTIFF STATES' OPENING BRIEF TO THE SPECIAL MASTER
FOR THE APRIL 4, 2024 HEARING**

From: Geraldine W. Young
Sent: Tuesday, March 26, 2024 9:13 AM
To: MCCALLUM, Robert; Ades, Alex
Cc: Audrey Moore; Bryce Callahan; Paul Yetter; John Harkrider; Daniel Bitton; ELMER, Julie (JSE); MAHR, Eric (EJM); Bracewell, Mollie; Ayla Syed; Jamie Aycock; Mark Lanier; Alex J. Brown; Zeke DeRose III; Jonathan Wilkerson; Joseph M. Graham Jr.; Marc B. Collier; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov; SESSIONS, Justina (JKS); SONG, Tinny; SYRMOS, Alexia; KAPLIN, Lauren; BAYOUMI, Jeanette; VACA, Lauren
Subject: RE: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

Counsel,

We are following up on Texas's Second Set of Requests for Production—served on Google on February 9, 2024 and which requested GAM (or AdX-DFP paired), Yavin, and AdX Direct contracts and the identity of publishers with those contracts. Google responded on March 11, 2024, not producing any documents but generally offering to meet and confer. The Parties met and conferred on those RFPs and Google's responses a week ago on March 19. As part of that discussion, we directed Google to its ROG, which asked the States to identify all contracts relevant to their tying claims. Google stated it would take back and consider either producing (a) form contracts and lists of publishers with each form contract or (b) all relevant, responsive publisher contracts, depending on how Google stores and how quickly Google can collect and produce either form of these documents. The States emphasized they were willing to take either type of production, based on the most expeditious form that can be produced. The States believe these discrete categories of documents, in either form, should be able to be produced quickly but have not heard from Google since the March 19 meet and confer. The States request an immediate response from Google as to these RFPs and documents and that these productions occur before the 30(b)(6) deposition on these topics as they are related and would make the deposition more efficient and productive. Please provide an update on this issue today.

Thanks, Geraldine

From: MCCALLUM, Robert <rob.mccallum@freshfields.com>
Sent: Monday, March 18, 2024 9:38 PM
To: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>; Ades, Alex <aades@yettercoleman.com>
Cc: Audrey Moore <Audrey.Moore@LanierLawFirm.com>; Bryce Callahan <bcallahan@yettercoleman.com>; Paul Yetter <pyetter@yettercoleman.com>; John Harkrider <jharkrider@axinn.com>; Daniel Bitton <dbitton@axinn.com>; ELMER, Julie (JSE) <Julie.Elmer@freshfields.com>; MAHR, Eric (EJM) <Eric.MAHR@freshfields.com>; Bracewell, Mollie <mbracewell@yettercoleman.com>; Ayla Syed <asyed@yettercoleman.com>; Jamie Aycock <jamieaycock@yettercoleman.com>; Mark Lanier <Mark.Lanier@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov; SESSIONS, Justina (JKS) <Justina.Sessions@freshfields.com>; SONG, Tinny <Tinny.Song@freshfields.com>; SYRMOS, Alexia <Alexia.Syrmos@freshfields.com>; KAPLIN, Lauren <lauren.kaplin@freshfields.com>; BAYOUMI, Jeanette <Jeanette.Bayoumi@freshfields.com>; VACA, Lauren <Lauren.Vaca@freshfields.com>
Subject: RE: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

Counsel –

We are available at 2.30 CT / 3.30 ET tomorrow.

Kind regards,
Rob

From: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>
Sent: Monday, March 18, 2024 3:37 PM
To: Ades, Alex <aades@yettercoleman.com>
Cc: Audrey Moore <Audrey.Moore@LanierLawFirm.com>; Bryce Callahan <bcallahan@yettercoleman.com>; Paul Yetter <pyetter@yettercoleman.com>; John Harkrider <jharkrider@axinn.com>; Daniel Bitton <dbitton@axinn.com>; ELMER, Julie (JSE) <Julie.Elmer@freshfields.com>; MAHR, Eric (EJM) <Eric.MAHR@freshfields.com>; MCCALLUM, Robert <rob.mccallum@freshfields.com>; Bracewell, Mollie <mbracewell@yettercoleman.com>; Ayla Syed <asyed@yettercoleman.com>; Jamie Aycock <jamieaycock@yettercoleman.com>; Mark Lanier <Mark.Lanier@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Zeke DeRose III <zeke.derosa@lanierlawfirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov
Subject: RE: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

Counsel,

Plaintiffs want to schedule a meet and confer about Google's attached discovery response. We are available between 10:30-12 CT and 1:30-3 CT tomorrow, Tuesday. Let us know a period in there that works and we will send an invite.

Thanks, Geraldine

From: Ades, Alex <aades@yettercoleman.com>
Sent: Monday, March 11, 2024 2:55 PM
To: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>
Cc: Audrey Moore <Audrey.Moore@LanierLawFirm.com>; Callahan, Bryce <bcallahan@yettercoleman.com>; Yetter, Paul <pyetter@yettercoleman.com>; John Harkrider <jharkrider@axinn.com>; Daniel Bitton <dbitton@axinn.com>; ELMER, Julie (JSE) <Julie.Elmer@freshfields.com>; MAHR, Eric (EJM) <Eric.MAHR@freshfields.com>; MCCALLUM, Robert <rob.mccallum@freshfields.com>; Bracewell, Mollie <mbracewell@yettercoleman.com>; Syed, Ayla <asyed@yettercoleman.com>; Aycock, Jamie <jamieaycock@yettercoleman.com>; Mark Lanier <Mark.Lanier@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Zeke DeRose III <Zeke.DeRose@LanierLawFirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov
Subject: RE: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

Counsel,

Attached please find Google's Responses and Objections to Plaintiff State of Texas's Second Requests for Production.

Thank you,
Alex

Alexander Ades | Associate | Yetter Coleman LLP
811 Main Street, Suite 4100, Houston, Texas 77002
(D) 713.457.3051 | (O) 713.632.8000 | (M) 305.338.3110
aades@yettercoleman.com | [Bio](#) | [vCard](#)

From: Geraldine W. Young <geraldine.young@nortonrosefulbright.com>

Sent: Friday, February 9, 2024 10:04 PM

To: Audrey Moore <Audrey.Moore@LanierLawFirm.com>; Bryce Callahan <bcallahan@yettercoleman.com>; Paul Yetter <pyetter@yettercoleman.com>; John Harkrider <jharkrider@axinn.com>; Daniel Bitton <dbitton@axinn.com>; ELMER, Julie (JSE) <Julie.Elmer@freshfields.com>; MAHR, Eric (EJM) <Eric.MAHR@freshfields.com>; MCCALLUM, Robert <rob.mccallum@freshfields.com>

Cc: Mark Lanier <Mark.Lanier@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Zeke DeRose III <Zeke.DeRose@LanierLawFirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov

Subject: RE: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

Counsel:

See attached for Plaintiff State of Texas's Second Requests for Production.

Regards,

Geraldine W. Young | Partner
Norton Rose Fulbright US LLP
1301 McKinney, Suite 5100, Houston, Texas 77010-3095, United States
Tel +1 713 651 5437 | Fax +1 713 651 5246
geraldine.young@nortonrosefulbright.com

NORTON ROSE FULBRIGHT

Law around the world
nortonrosefulbright.com

From: Audrey Moore <Audrey.Moore@LanierLawFirm.com>

Sent: Friday, November 10, 2023 6:47 PM

To: bcallahan@yettercoleman.com; pyetter@yettercoleman.com; jharkrider@axinn.com; dbitton@axinn.com; julie.elmer@freshfields.com; eric.mahr@freshfields.com; rob.mccallum@freshfields.com

Cc: Mark Lanier <Mark.Lanier@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Zeke DeRose III <Zeke.DeRose@LanierLawFirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; Geraldine W. Young <geraldine.young@nortonrosefulbright.com>; noah.heinz@kellerpostman.com; ack@kellerlenkner.com; zina.bash@kellerpostman.com; trevor.young@oag.texas.gov; Audrey Moore <Audrey.Moore@LanierLawFirm.com>

Subject: C.A. No. 4:20-cv-00957-SDJ; The State of Texas, et al v. Google LLC

[External Email – Use Caution]

Counsel,

Attached please find *Plaintiff The State of Texas's Request for Production* to Defendant Google LLC.

Thank you.

Audrey



Audrey Moore
Paralegal

p: 713-659-5200

10940 West Sam Houston Pkwy N, Suite 100

Houston • Texas • 77064

www.LanierLawFirm.com

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